



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Acting Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2203592

Applicant Name: Chris Listfeld, The Alaris Group, for Cingular Wireless

Address of Proposal: 1309 NE Campus Parkway

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish a minor communication utility (Cingular Wireless) consisting of six panel antennas and equipment cabinets located on the rooftop of an existing apartment building. Two antennas will be flush mounted to the façade of an existing penthouse, and the remaining four antennas will be mounted on rooftop skids. The associated equipment will be located on the rooftop adjacent to the penthouse.

The following approvals are required:

SEPA - Environmental Determination (Chapter 25.05, Seattle Municipal Code)

Administrative Conditional Use (Chapter SMC 23.57.011B, Seattle Municipal Code)

- Project vested on August 9, 2002

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non exempt grading or demolition, or
involving another agency with jurisdiction.

*Early Notice DNS published October 3, 2002

BACKGROUND INFORMATION

Site and Vicinity Description

The subject site is occupied by an existing **five** story multi-family structure at the southeast corner of NE Campus Parkway and Brooklyn Avenue NE in the University District Neighborhood. An alley runs along the north south axis bisecting the block in two. The site occupies approximately two-thirds of the west half of the block. The existing building is non-conforming as to the required street side setback (Brooklyn Avenue NE) for the underlying zone. The entire west half of the block, subject site area, is zoned Major Institution Overlay with a 105-foot height limit (MIO-105), with Midrise (MR) underlay. The eastern half of the block, as well as the land to the south across NE 40th Street and a narrow band to the north across NE Campus Parkway, is zoned MIO-65, Neighborhood Commercial with a 65-foot height limit (NC-65). The west half of the block slopes significantly from the north frontage (NE Campus Parkway) to the south, and from the east (abutting alley right-of-way) to the west (Brooklyn Avenue NE). The University of Washington has a strong visual presence along NE Campus Parkway with dormitories to the west and affiliated offices to the north and east of the subject site. University Way NE, 'the Ave.' runs perpendicular to NE Campus Parkway, is located one block east and is the historical retail hub for the residential population. NE Campus Way is an arterial moving traffic to and from the University district to downtown and other areas throughout Seattle.

Proposal

The applicant is proposing the installation of a minor communication utility on the rooftop of an existing residential building, consisting of a three-sector antenna array with two antennas per sector (six antennas total). Two antennas (one sector) will be flush mounted on the wall of an existing elevator penthouse and will not extend higher than the roof of the penthouse. Two sector arrays, mental ballast framed support structure will be mounted to rooftop. The associated equipment cabinets will also be located on the roof, adjacent to the penthouse.

Public Comments

No public comments have been received.

ANALYSIS – ADMINISTRATIVE CONDITIONAL USE

Pursuant to SMC 23.57.011B, minor communication utilities in Midrise Zones require an Administrative Conditional Use permit to locate in the zone. Criteria for reviewing the permit application, including when it would exceed the height limit of the zone, are contained in SMC 23.57.011B. (Discussion follows each criterion.)

- 1. The proposal shall not result in a commercial intrusion which would be significantly detrimental to the residential character of the surrounding residentially zoned area.*

The subject site is located in an area that lacks a qualitative residential feel that would be characteristic of residentially zoned areas. The University of Washington has a major presence along NE Campus Parkway and the surrounding blocks. The site falls within the Major Institution Overlay district for the University of Washington. The subject site is one of a few development sites along NE Campus Parkway that is not owned by the University of Washington. To the west across Brooklyn Avenue NE are a series of residential dormitories serving University of Washington students. The streetscape is dominated by University of Washington affiliated uses to the north and east of the subject site. This alone does provide sufficient evidence that demonstrates a lack residential presence along the street right-of-way.

Two proposed antenna arrays will be flush mounted on and painted to match the existing rooftop elevator penthouse, and will not extend above the top of the penthouse. The remaining two sector arrays (two antennas per sector) will be mounted on a low profile, non-penetrating rooftop ballast framed structures. Each of the four antennas mounted to the support structure will be screened within a metal smokestack. The smokestack and framed support structure will be painted to match the background of the existing building. The shrouded antennas will not have a significant visual impact from street activity around the subject site. The proposed height of the equipment cabinets, 8 feet above top of roof (includes 2 foot raised platform), will be inconspicuous from the north and east elevations. The equipment cabinet will be located approximately twenty-two feet from the building's west façade. An 8' 7" gabled walled parapet extending above roof elevation provides a visual obstruction for the equipment cabinets along the building's west facade. The subject site slopes substantially down from north to south, which further decreases visual impacts from the south and west elevations. The placement of the proposed facility upon the rooftop, along with screening actions will greatly diminish their visibility and will not result in a commercial intrusion that would be substantially detrimental to the residential character of the surrounding residentially zoned areas.

2. *If the proposed minor communication utility is proposed to exceed the permitted height of the zone or is a transmission tower, the applicant shall demonstrate the following:*

The proposed location and height of the minor communication equipment cabinet will be on an existing non-conforming building (not meeting required setbacks standards). The height limit in a midrise zone is 60 feet. The top of the roof on the existing building is approximately 60 feet above the ground, while the height to the top of the proposed equipment cabinet is approximately 68 feet above the ground.

- a. *The need for the proposed communication utility to be in a residential zone and a justification for the proposed height;*

The operational characteristics of wireless facilities require a clear "line of sight" from the antennas to the coverage objective to assure quality of the transmission of the signal. Generally, in order to be an acceptable location of wireless antennas, the tallest building without obstruction within about a quarter mile is necessary to assure the quality of the signal to be transmitted. The applicant selected this location based on a Radiofrequency engineering evaluation that showed the "line of sight" to the coverage objective and the adjoining sites. The proposed facility would serve the immediate University District area, as well as providing connection to adjoining

antenna sites for Cingular Wireless. This location and height are necessary to provide seamless service throughout their network. Radiofrequency propagation maps have been provided by the applicant that shows the coverage hole in the existing networks and how the proposed antennas at the site would fill the coverage hole.

- b. That the proposed materials, shape and color of the proposed utility or device will minimize negative visual impacts on adjacent or nearby residential areas to the greatest extent possible;*

As noted, two proposed antennas would be flush mounted to the existing elevator penthouse wall and would be painted to match the building. The remaining four antennas (two antennas per sectors) will be placed within a mental shroud, mounted on a low profile rooftop ballast framed structure. The shrouded antennas along with its support frame will extend approximately eleven feet above top of roof, below height of the elevator penthouse. The antennas will be placed approximately fourteen feet, at the closest point, to the buildings edge. All will be painted to match the background of the building upon which they are mounted. The outdoor roof mounted equipment cabinets will be located approximately twenty-two feet, at the closest point, to the building's west façade. An existing gabled wall parapet that rises approximately eight feet above top of roof will entirely screen the proposed equipment when viewed from the west. The proposed equipment cabinets will not be visible from the remaining view perspectives due to placement on roof and existing geographic conditions in the immediate area. Because of the proposed treatments, as well as the setback distance from other buildings and the height from the street, the visual impact of the proposed facility would be minimal.

- c. That proposed communication utility will not be substantially detrimental to the residential character of an area, for example, through the demolition of residential dwelling units in a residential zone.*

There would be no demolition of housing as a result of this proposal. The proposed facility has been located and designed to be unobtrusive. Furthermore, as noted above, because of the efforts to screen, hide and camouflage the antennas and equipment, the proposed visual impact of the facility is expected to have minimal rooftop presence. Therefore, the proposed facility would not be substantially detrimental to the residential character of the area.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The proposed minor communication utility meets all applicable criteria stated in SMC Section 23.57.011B. Consequently, the application for a minor communication utility to locate in a Midrise zone is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated June 11, 2002. Information in the checklist was supplemented by documentation from David J. Pinion, P.E. with Hatfield & Dawson Consulting Engineers that certifies that the proposed installation will comply with FCC RF radiation public exposure limits. The information in the checklist, supplemental information, and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) states, in part, "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Thus, the mitigation that may be required pursuant to SEPA authority is limited. A discussion of likely adverse impacts and how they may be appropriately mitigated follows below.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment, increased traffic and demand for parking from construction equipment and personnel, increased noise, and consumption of renewable and non-renewable resources. Due to the temporary nature and extremely limited scope of these adverse impacts, they are not considered significant or warranting of mitigation pursuant to SMC 25.05.794.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal, namely visual impacts and increased generation of radio frequency radiation related to the new antennas. Due to the height of the building, and the painting of the antennas and equipment cabinets to match the background of the building, the visual impacts will be minimal. With respect to RF Radiation, the emission levels will be well below the Federal Communication Commission exposure limits (as well as the City of Seattle RF Radiation standards).

These long-term impacts are not considered significant or of sufficient adversity to warrant additional mitigation.

DECISION - SEPA

The responsible official on behalf of the lead agency made this decision after review of a completed environmental checklist and other information on file with the department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS - SEPA

None.

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE

None.

Signature: _____ (signature on file) Date: February 17, 2003
Bradley Wilburn, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services

BW:vr